



1 F12 2655-1/4

PATENT
ATTORNEY DOCKET NO.: 041465-5126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|----------------------------------|
| In re Application of: |) | |
| |) | Confirmation No: 4513 |
| Kiyoshi TATEISHI |) | |
| |) | Group Art Unit: 2655 |
| Application No.: 09/985,836 |) | |
| |) | Examiner: Ortiz Criado, Jorge L. |
| Filed: November 6, 2001 |) | |
| |) | MAIL STOP AMENDMENT |
| For: OPTICAL RECORDING MEDIUM, |) | |
| INFORMATION RECORDING |) | |
| APPARATUS, AND INFORMATION |) | |
| REPRODUCING APPARATUS |) | |

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated April 8, 2004 (Paper No. 3).
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---|------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1,480.00 | \$740.00 |

Extension of time fee due with this request: \$ 110.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 26 | minus | 21 | 5 | x \$18 each= | + \$ 90.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 11 | minus | 7 | 4 | x \$86 each= | + \$ 344.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$ |
| SUB-TOTAL = | | | | | | \$ 434.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$ |
| TOTAL FEE = | | | | | | \$ 434.00 |

6. Fee Payment

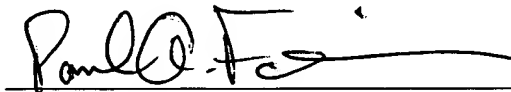
- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$544.00** (representing \$110.00 for the one-month extension of time fee and \$434.00 for the additional claims fees) to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: August 6, 2004

By:



Paul A. Fournier

Reg. No. 41,023

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1-WA/2236349.1



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Arlington, VA 22202

Sir:

AMENDMENT

In response to the Office Action dated April 8, 2004 (Paper No. 3), the period for response to which extends through August 9, 2004 (August 8, 2004 being a Sunday), by the concurrently filed petition for one-month extension of time and corresponding fee payment, please amend the above-identified application as follows:

08/10/2004 EABUBAK1 00000006 500310 09985836

| | |
|------------|-----------|
| 01 FC:1251 | 110.00 DA |
| 02 FC:1201 | 344.00 DA |
| 03 FC:1202 | 90.00 DA |